IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 5364 OF 2004

Jamil Abdul Razak Harge ... Applicant

versus

The State of Maharashtra ... Respondent

...

Mr. C.K. Pendse, for the Applicant.

Mr. D.R. More, A.P.P., for the Respondent.

...

CORAM : A.M.KHANWILKAR,J.

17th December 2004

P.C.:

. Heard Counsel for the parties. Perused the record. Having regard to the seriousness of the offence and material to indicate complicity of the accused in connection with the alleged offence, not a case for bail. There are circumstances on record which do indicate complicity of the Applicant. Reliance was placed by the Counsel for the Applicant on the decision of this Court reported in 2002 ALL MR (Cri) 573 in the case of Rohidas Gangaram Jadhav v. The

State of Maharashtra. The fact situation of that case is entirely different than the present case. In that case, two different versions were forthcoming regarding the presence of the accused at the relevant time on the spot. That is not the case on hand. The Applicant is alleged to be seen along with the deceased. In the circumstances, dismissed.

. As the learned A.P.P. states that the trial can be concluded within three months, as there is Fast Track Court available at Raigad, District Judge, Raigad is directed to assign the case to Fast Track Court to ensure early disposal of the trial. The trial shall be concluded not later than six months in view of the assurance given by the learned A.P.P. that the prosecution will take steps to ensure disposal of trial within three months.

. Parties to act on the authenticated copy of this order.

(A.M.KHANWILKAR,J.)